IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:28.11.2006

CORAM:

THE HON'BLE MR. JUSTICE P. SATHASIVAM
AND
THE HON'BLE MR. JUSTICE S. TAMILVANAN

WRIT PETITION NO.8410 OF 2001

G. Gunasekaran .. Petitioner

vs.

1.The Government of Tamil Nadu
rep. By its Secretary to Government
Cooperation, Food and consumer
Protection Department,
Fort St. George, Chennai 8.

2.The Registrar of Cooperative
Societies, No.170 EVR Road
Kilpauk, Chennai 10.

3.The Managing Director
Central Cooperative Bank
Salem District, Salem.

4.The District Employment Officer
Salem District, Salem. .. Respondents

Writ petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Certiorarified mandamus as stated therein.

For petitioner : Mr. T.S. Rajamohan

For respondents: Mr. S. Ramasamy
Addl.Advocate General
assisted by
Mrs. Bhavani Subbarayan
Government Advocate for State
Mr. M.R. Raghavan for R.3

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ORDER

(Order of the Court was made by P. Sathasivam,J.)

The petitioner has approached this Court for issuance of a writ of certiorarified mandamus calling for the records of the first respondent in G.O.Ms.No.57 dated 21.02.2001 and the consequential notification of the 4th respondent dated 23.02.2001, prayed for direction to the respondents to consider his name for the post of Assistant in the 3rd respondent Bank pursuant to the interview letter dated 17.03.2001.

2. Heard the learned counsel for the petitioner as well as the respondents.

3. Learned Additional Advocate General appearing for respondents 1, 2 and 4 has brought to our notice that the impugned Government Order, viz., G.O.Ms.No.57 dated 21.02.2001 has been superseded by G.O.(2D)No.21 Labour and Employment Department dated 20.09.2001, in and by which the Government have varied the ratio at 1:10 instead of 1:1. He also placed Xerox copy of the relevant Government Order. In view of the same, we are of the view that the relief claimed by the petitioner based on G.O.Ms.No.57 dated 21.02.2001 cannot be adjudicated, since it becomes infructuous. However, the petitioner is free to avail any of the Government Order, which is available in support of his case if the same is applicable to his case.

With the above observation, the writ petition is dismissed. No costs.

kh

Sd/
Asst.Registrar

/true copy/

Sub Asst.Registrar

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To

1.The Secretary to Government
  Government of Tamil Nadu
  Co.operation, Food and consumer
  Protection Department,
  Fort St. George, Chennai 8.

2.The Registrar of Co.operative
  Societies, No.170 EVR Road
  Kilpauk, Chennai 10.

3.The District Employment Officer
  Salem District, Salem.

+ one cc to Mr. T.S. Rajendran, Advocate sr no. 58907
+ one cc to M.R. Raghavan, Advocate sr no. 58413

MDR(CO)
NM(07.12.2006)

W.P.No.8410 of 2001

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